



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/884,925	06/21/2001	Jack Chen	112.P55008	3893

43831 7590 02/12/2008
BERKELEY LAW & TECHNOLOGY GROUP, LLP
17933 NW Evergreen Parkway, Suite 250
BEAVERTON, OR 97006

EXAMINER

VILLECCO, JOHN M

ART UNIT	PAPER NUMBER
----------	--------------

2622

MAIL DATE	DELIVERY MODE
-----------	---------------

02/12/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Interview Summary	Application No.	Applicant(s)	
	09/884,925	CHEN ET AL.	
	Examiner	Art Unit	
	John M. Villecco	2622	

All participants (applicant, applicant's representative, PTO personnel):

(1) John M. Villecco.

(3) Aaron J. Poledna.

(2) Cameron B. Pilling.

(4) _____.

Date of Interview: 06 February 2008.

Type: a) ☒ Telephonic b) ☐ Video Conference
c) ☐ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☒ No.

If Yes, brief description: _____

Claim(s) discussed: Claim 15.

Identification of prior art discussed: Oliver and Hashimoto.

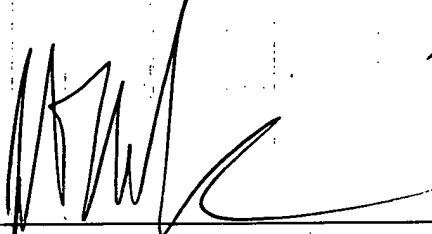
Agreement with respect to the claims f) ☐ was reached. g) ☒ was not reached. h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: See Continuation Sheet.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.


Examiner's signature, if required

Continuation of Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments:

At the outset, the Examiner noted that no Power of Attorney had been filed in this application showing transfer to Perkins and Coie. Mr. Pilling and Mr. Poledna stated that one would be forthcoming in the next response. Mr. Pilling and Mr. Poledna suggested amendments to claim 15 in order to overcome the rejection based on Oliver and Hashimoto. The attorneys felt that the combination of Oliver and Hashimoto was not a valid since Oliver teaches a separately captured voice file and Hashimoto teaches that the image and voice file are captured simultaneously. A further difference highlighted by Mr. Pilling was that the Hashimoto reference teaches that video data is captured, not still images, and thus cannot be combined with Oliver. Without going through the Hashimoto reference (as this interview was conducted after-final), the Examiner felt that this difference did not overcome the prior art of record based on the claim language. Hashimoto was used merely to show the combining of separate image and voice data into a single multiplexed data file. It was further noted by the Examiner that Hashimoto does teach the capture of a sequence of still images. As this interview was conducted after-final and it did not appear that the interview was furthering the case to allowance or to better form for appeal, the Examiner did not delve into the specifics of each reference. Mr. Pilling informed the Examiner that an RCE filing was forthcoming.